



Ninety-Seventh Legislature - Second Session - 2002
Committee Statement
LB 331

Hearing Date: February 7, 2001
Committee On: Health and Human Services

Introducer(s): (Jensen)
Title: Change State Board of Health provisions

Roll Call Vote – Final Committee Action:

Advanced to General File
Advanced to General File with Amendments
X Indefinitely Postponed

Vote Results:

6	Yes	Senator Jensen, Byars, Suttle, Price, Cunningham and Erdman
	No	
	Present, not voting	
1	Absent	Senator Maxwell

Proponents:

Senator Jim Jensen
Dr. Raymond
Steve Wooden
Don Ellerbee

Representing:

Introducer
Department of Health and Human Service
Nebraska State Board of Health
Nebraska Veterinary Association & Nebraska
Funeral Directors Association

Opponents:

David Buntain

Representing:

Nebraska Medical Association

Neutral:

Representing:

Summary of purpose and/or changes: The bill increases membership on the State Board of Health from seventeen to eighteen members. The bill increases the number of public members on the board from two to three and requires that one of the public members have advanced training in public health or be actively involved in education related to public health services or administration or delivery of public health services.

The bill provides that terms of board members expire on August 1 of the year of the expiration of their term instead of September 14.

The bill changes the meeting date at which the board is required to elect its officers from January of each year to the last calendar quarter of each year.

The bill revises advisory duties of the board with respect to the Department of Health and Human Services Regulation and Licensure in section 71-2610. The bill requires the board to advise the department regarding (a) rules and regulations of the department, (b) policies of the department as they relate to support provided to the board, and (c) communication and cooperation among the professional boards. The board is also required to advise the Policy Cabinet on public health issues. Current law requiring the board to advise the department regarding health needs for the state, an educational health program throughout the state, and plans of organization and reorganization of the department are deleted.

The bill amends section 71-2610.01 to reference the board's powers and duties under the Nebraska Regulation of Health Professions Act.

The bill provides immunity for board members for actions taken or recommendations made within the scope of the functions of the board while acting as an agent of the state, if the board member acts without malice and in the reasonable belief that the action or recommendation is warranted by the facts known to him or her after a reasonable effort is made to obtain the facts on which the action is taken or recommendation is made.

The bill has an operative date of October 1, 2001.

Explanation of amendments, if any:

Senator Jim Jensen, Chairperson